

## Message Text

CONFIDENTIAL

PAGE 01 NASSAU 01494 211559Z

43

ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 SCA-01 L-03 H-02 FBIE-00 DHA-02

NSC-05 SSO-00 NSCE-00 PRS-01 USIE-00 /024 W

----- 120796

O 211433Z SEP 76

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC IMMEDIATE 8657

C O N F I D E N T I A L N A S S A U 1 4 9 4

E.O. 11652: GDS

TAGS: CASC BF (SHOBEK, MICHAIAH)

SUBJ: MICHAIAH SHOBEK APPEAL

REF: NASSAU 708 AND PREVIOUS

1. PERMSEC, MIN OF HOME AFFAIRS, HAS CONFIDENTIALLY INFORMED EMBASSY THAT COMMITTEE ON THE PREROGATIVE OF MERCY HAD RECOMMENDED REJECTION OF APPEAL OF MICHAIAH SHOBEK AND MINISTER OF HOME AFFAIRS HAS ACCEPTED RECOMMENDATION. MINISTER WILL ADVISE ACTING GOVERNOR GENERAL THAT THE CASE IS NOT A PROPER ONE IN WHICH TO EXERCISE THE ROYAL PREROGATIVE OF MERCY AND THAT THE LAW SHOULD TAKE ITS COURSE. THE ACTING GOVERNOR GENERAL, IN ACCORDANCE WITH THE MINISTER'S ADVICE, WILL ORDER THAT THE DEATH SENTENCE OF THE SUPREME COURT RENDERED ON MAY 13, 1974 BE CARRIED OUT.

2. THE PERMANENT SECRETARY STATED THE ABOVE INFORMATION IS NOT REPEAT NOT FOR PUBLICATION AT THIS TIME. PERMANENT SECRETARY WILL ALSO NOTIFY EMBASSY OF DATE OF EXECUTION PRIOR TO RELEASE TO PUBLIC.

3. AFTER DATE OF EXECUTION ANNOUNCEMENT, EMBASSY WITH DEPARTMENT'S CONCURRENCE WOULD RESPOND TO ANY INQUIRIES WITH FOLLOWING STATEMENT: QUOTE SINCE HIS ARREST ON JANUARY 26, 1974, THE AMERICAN EMBASSY IN NASSAU HAS BEEN CHARGED WITH THE RESPONSIBILITY OF ENSURING THAT THE RIGHTS OF MR. MICHAIAH SHOBECK, A UNITED STATES CITIZEN, WERE FULLY CONFIDENTIAL

CONFIDENTIAL

PAGE 02 NASSAU 01494 211559Z

OBSERVED AND RESPECTED UNDER BAHAMIAN LAW AND GENERALLY

ACCEPTED INTERNATIONAL STANDARDS FOR THE PROTECTION OF HUMAN RIGHTS, AND THAT THE TREATMENT HE RECEIVED DURING HIS IMPRISONMENT AND TRIALS WAS THE SAME AND IN NO WAY DIFFERED FROM THAT ACCORDED TO A BAHAMIAN CITIZEN FACED WITH A SIMILAR CHARGE. THE EMBASSY IS SATISFIED THAT MR. SHOBEK'S RIGHTS DURING THIS PERIOD WERE IN FACT FULLY RESPECTED, AND THAT THE LEGAL PROCEEDINGS IN WHICH HE WAS INVOLVED WERE FAIR AND IMPARTIAL UNDER BAHAMIAN LAW. THE EMBASSY IS ALSO ADVISED THAT WITH THE DECISION OF THE COMMITTEE ON THE PREROGATIVE OF MERCY WHICH WAS ANNOUNCED ON (DATE TO BE SUPPLIED ) ALL RECOURSES, LEGAL OR OTHERWISE, WHICH ARE AVAILABLE UNDER BAHAMIAN LAW HAVE BEEN EXHAUSTED. END QUOTE

3. DEPARTMENT REQUESTED TO APPROVE OR AMEND STATEMENT FOR CONTINGENCY USE.

WEISS

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 21 SEP 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976NASSAU01494  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760356-0662  
**From:** NASSAU  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760937/aaaabfqt.tel  
**Line Count:** 77  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION SCS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 NASSAU 708  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <07 JUL 2004 by saccheem>; APPROVED <08 JUL 2004 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MICHAIAH SHOBEK APPEAL  
**TAGS:** CASC, BF, (SHOBEK, MICHAIAH)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006